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1	PETER GOODMAN, ESQ. State Bar No. 65975		
2	400 Montgomery Street, Second Floor San Francisco, California 94104		
3	Telephone: (415) 781-8866 Facsimile: (415) 781-2266		
4	Attorney for Defendant		
5	DAVID CHARLES HILL	<u>*E-FILED - 2/1/12*</u>	
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7	UNITED STATES DISTRICT COURT		
8	NORTHERN DISTRICT OF CALIFORNIA		
9	OAKLAND DIVISION		
10			
11	UNITED STATES OF AMERICA,) CR-04-40052 DLJ	
12	Plaintiff,) STIPULATED ORDER CONTINUING) HEARING ON DEFENDANT HILL'S	
13	VS.	MOTION FOR RESENTENCING	
14	DAVID CHARLES HILL,		
15	Defendant.		
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18	Plaintiff UNITED STATES OF AMERICA, by and through its counsel in this		
19	matter, Assistant United States Attorney ("AUSA") Jennifer Gaspar, and defendant		
20	DAVID CHARLES HILL, by and through his counsel, Peter Goodman, hereby stipulate		
21	and agree as follows:		
22	1. On February 27, 2009, defendant HILL filed a Motion for Resentencing		
23	premised on Amendments 706 and 713 to the United States Sentencing Guidelines		
24	Manual which provided for a retroactive reduction in the sentencing range for cocaine		
25	base.		
26	2. On March 20, 2009, a hear	ing on the motion was held at which time the	
27	Court deferred its ruling to allow defense counsel to submit further pleadings on the		
28	issue of whether the reduction wrought by Amendment 706 applied to the defendant.		

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1	3. On January 27, 2012, defendant HILL filed a Supplemental Memorandum	
2	of Points and Authorities in Support of Motion to Reduce Sentence Under Amendments	
3	706 and 713 to the Federal Sentencing Guidelines. At the request of defense counsel,	
4	the matter is scheduled to be heard on February 3, 2012, at 10:00 a.m.	
5	4. Given the recent pleading filed by defendant HILL, AUSA Gaspar is	
6	requesting additional time to file her response. Defense counsel agrees with that	
7	request and understands that the Court will be hearing matters in Oakland on March	
8	2, 2012, at 10:00 a.m. Additionally, United States Probation Office ("USPO") James	
9	Schlotter has agreed to have his office prepare a report containing a recommendation	
10	regarding whether the two level reduction in his offense level requested by defendant	
11	HILL is appropriate. That report will discuss both defendant HILL's Career Offender	
12	status and his efforts at Post-Offense Rehabilitation. USPO Schlotter anticipates that	
13	the report will be available by the March 2 nd hearing date the parties are requesting.	
14	SO STIPULATED	
15	DATED: February 1, 2012	
16		
17	/s/ JENNIFER GASPAR	
18	Assistant United States Attorney	
19	SO STIPULATED	
20	DATED: February 1, 2012	
21		
22	/s/	
23	PETER GOODMAN Attorney for Defendant	
24	DAVID CHARLES HILL	
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ORDER CONTINUING HEARING ON MOTION FOR RESENTENCING Based on the Stipulation of the parties and good cause appearing therefor, IT IS HEREBY ORDERED that the hearing on defendant HILL's Motion for Resentencing which is currently scheduled for February 3, 2012, at 10:00 a.m. be continued to March 2, 2012, at 10:00 a.m. DATED: 2/1/12 United States District Court Judge